

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ALFONSO NAVARRETE,

Petitioner,

Civil No. 1:20-cv-00570-JCH-LF

Criminal No. 1:18-cr-00553-JCH-LF-1

vs.

UNITED STATES,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition (“PFRD”) on August 11, 2023. Doc. 22. The proposed findings notified the parties of their ability to file objections within fourteen (14) days and that failure to do so waived appellate review. *Id.* at 32. To date, the parties have not filed any objections and the time to do so has now passed.

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 22) are ADOPTED;
2. Alfonso Navarrete’s Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, filed on June 11, 2020. Cr. Doc. 55; Civ. Doc. 1, is DENIED.
3. The Court denies a certificate of appealability. No appeal may be taken from a “final order in a proceeding under section 2255” unless the petitioner first obtains a certificate of appealability. 28 U.S.C. § 2253(c)(1)(B). A certificate of appealability may issue only if the petitioner “has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Mr. Navarrete has failed to make this showing.



SENIOR UNITED STATES DISTRICT JUDGE